

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

**ANILDA RODRIGUES and SARAH
TALBOTT**, individually and on behalf of all
others similarly situated,

Plaintiffs,

vs.

BOSTON COLLEGE,

Defendant.

No. 1:20-cv-11662-NMG

**STATUS REPORT, JOINT
STIPULATION, AND [PROPOSED]
ORDER**

Plaintiffs ANILDA RODRIGUES and SARAH TALBOTT (“Plaintiffs”) and Defendant BOSTON COLLEGE (“Defendant”) (collectively, “Parties”), by and through their respective counsel of record, hereby stipulate and make a joint application to provide an additional status report on April 15, 2024, based on the following recitals:

WHEREAS, on March 13, 2024, the U.S. Court of Appeals for the First Circuit decided *Dutra, et al v. Trustees of Boston University*, No. 23-1385 (“*Dutra*”), and held that the Section 80 of the Outside Sections of the fiscal year 2024 Massachusetts Budget is not unconstitutional under the Due Process Clause of the U.S. Constitution;

WHEREAS, on March 26, 2024, Appellants in *Dutra* filed a petition for panel rehearing and rehearing *en banc*;

WHEREAS, on April 1, 2024, Plaintiffs in this action filed an amici curiae brief in support of the *Dutra* Appellants’ petition for panel rehearing and rehearing *en banc*;

WHEREAS, the Parties have continued to confer since the *Dutra* decision and the status report previously due March 18, 2024 and agree that in the interest of judicial economy and

conservation of court and party resources, the parties need additional time to meet and confer about a case schedule, and/or continue discussing settlement;

WHEREAS, Plaintiffs contend that questions regarding Section 80's interpretation and its constitutionality under the Massachusetts Constitution should be certified to the Massachusetts Supreme Judicial Court ("SJC"). Mass. S.J.C. Rule 1.03 § 1 (permitting any federal court to certify a question to the Massachusetts SJC if state law "may be determinative" of a case and it appears there is "no controlling precedent in the decisions of" the SJC).

STIPULATION

The Parties hereby stipulate, agree, and make this joint application respectfully requesting to provide an additional status report on April 15, 2024.

IT IS SO STIPULATED.

DATED: April 1, 2024

/s/ James Francis

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Attorneys for Defendant Boston College

~~PROPOSED~~ ORDER


The Court, having reviewed the Parties' Joint Stipulation and Application to stay this matter, and **GOOD CAUSE APPEARING THEREFOR, HEREBY ORDERS AS FOLLOWS:**

The parties shall file a joint status report on April 15, 2024.

IT IS SO ORDERED.

Dated:

04/03/2024



HON. NATHANIEL M. GORTON
U.S. District ~~Court~~ Judge
District of Massachusetts